

3210 Ottawa Street  
Butte, MT. 59701  
November 18,2005

Montana Department of Natural Resources and Conservation  
Attn: Sara Price and Lowe Whitney  
2705 Spurgin Road  
Missoula, MT. 59804-3199

From Jack Atcheson, Jack D. Jones, Tony Schoonen COALITION for MANAGEMENT  
OF STATE LAND-MONTANA and LeRoy Mehing SKYLINE SPORTSMEN'S  
ASSOCIATION

RE: DNRC Forested Trust Land Habitat Conservation Plan (HCP) Comments

Dear DNRC:

We sued DNRC and won with HB 778 signed into Law on 4-2-25-1991 which opened 5.2 million acres of public state land in Montana. So we do have a continual interest, long standing! We sat through the rule making for those public lands (see State Land Board minutes) state lands is just that public lands not private and not under control by a private entity. Our basic instinct with our experiences with DSL now DNRC is remain suspect of DNRC always. Selling public land OUR land is wrong. Other States have sold much of theirs and now they have little and now worth millions more than they sold it for. Retention only increases the value of the public lands with land prices going up daily. Then we have the sub-surface mineral estate as well.

State Law prohibits DNRC from breaking or bending any laws. That is the first consideration, existing Law. Raising money is second and is a Montana supreme court decision (see DNRC – Madden vs. Ravalli Sportsmen # 271).

What about the amended Unlawful Inclosures Act of 1885,43 U.S.C. 1061-1064; 23Stat.L.321; Ch.149 ? (see Taylor-Lawrence v. U.S. Court of Appeals# 86-1085,1988.) DNRC is not immune and no we do not approve of any private landowner or lease on most any real estate deal or conservation easement scam involving our public lands.

Since this is a federal matter then the Fraud and False Statement Act would apply, Title 18 ch.48 –1001.Right? A 50year plan on public land? This does not seem to mesh with the plan that was presented to sell state land (see attached article).

Both the USFS and BLM right now are knowingly and willfully avoiding their own handbooks, like H-1741-1 and multiple use laws on borders of federal, state and private land (see The Unlawful Inclosures Act of 1885 as amended) and U.S. Court of Appeals Red Rim Decision, Taylor –Lawrence # 86-1085 it is all about private or state land on federal borders.

Public access and free daily movement to and from federal land is guaranteed by the  
UIA of 1885.

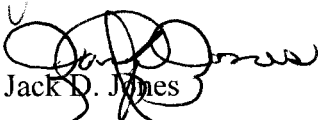
The UIA of 1885 and Red Rim # 86-1085 is all about private land and state land on  
federal borders (copy enclosed)

We want to be sure both DNRC and the USFWS know the Law. All the Law including  
Title 18 Ch. 47-1001 which is written on most all government transactions.

Sincerely,



Jack Atcheson



Jack D. Jones

For Skyline Sportsmen's Association

CC: concerned sportsmen  
Sportsmen's organizations